

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

EDUARDO RAMIREZ : CIVIL ACTION
: :
: :
v. : :
: :
CITY OF PHILADELPHIA, et al. : NO. 24-3035

ORDER

AND NOW, this 30th day of June, 2025, upon consideration of the Partial Motion to Dismiss filed by Defendants City of Philadelphia, John McDermott, Michael Gross, and Stephen Vivarina (Docket No. 15), all documents filed in connection therewith, and the Argument held on May 14, 2025, and for the reasons stated in the accompanying Memorandum, **IT IS HEREBY ORDERED** that the Motion is **GRANTED IN PART** and **DENIED IN PART** as follows:

- (1) The Motion is **GRANTED** with respect to the Fourteenth Amendment malicious prosecution claim in Count I and the failure to intervene claim in Count IV.
- (2) The Motion is further **GRANTED** with respect to the Monell claim against the City in Count V insofar as it relies upon the violations alleged in the claims dismissed in paragraph 1.
- (3) The Motion is **DENIED** in all other respects.
- (4) Robert Snell is **DISMISSED** as a defendant in this action by agreement of the parties.¹

BY THE COURT:

/s/ John R. Padova, J.

John R. Padova, J.

¹ At Oral Argument, Plaintiff stated that he had been informed by the City that Defendant Snell, who was never served, is deceased. Both Plaintiff and the City indicated that they do not object to Snell's dismissal.